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Attorneys for Plaintiff,
GEORGIA-PACIFIC CONSUMER PRODUCTS LP

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF CALIFORNIA

GEORGIA-PACIFIC CONSUMER
PRODUCTS LP, a Delaware limited
partnership,

Plaintiff,

v.

LEE'S GENERAL TOYS, INC., a California
corporation, JOHN LEE, an individual; and
DOES 1-100,

Defendants.

Civil Action No. 07-CV-02391 JAH POR

**NOTICE OF MOTION AND MOTION OF
PLAINTIFF GEORGIA-PACIFIC FOR
LEAVE TO FILE A FIRST AMENDED
COMPLAINT**

Date: March 24, 2008
Time: 2:30 p.m.
Ctm: 11
Judge: Hon. John A. Houston

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 Please take notice that Plaintiff Georgia-Pacific Consumer Products LP (“Georgia-
3 Pacific”) will and hereby does move this Court for an order for leave to file a First Amended
4 Complaint before this Court on March 24, 2008, at 2:30 p.m., or as soon thereafter as the matter
5 can be heard, in Courtroom Eleven of the United States Courthouse located at 940 Front Street,
6 San Diego, California 92101.

7 Granting leave to amend the complaint would be in the furtherance of justice, consistent
8 with the policy of the federal courts to liberally permit amendment of pleadings at any stage of
9 the proceeding and in interests of judicial efficiency favoring resolution of all disputed matters
10 between the parties in the same lawsuit. The proposed First Amended Complaint will name the
11 following additional Defendants, who are substituted for Does 1 and 2: RunHui Paper Co., Ltd.,
12 and Shantou Kid Toys Co., Ltd.

13 Allowing this amendment would be in furtherance of justice because at the time this
14 action was originally filed, Georgia-Pacific was unaware of the names or identities of other
15 entities participating in the manufacturing, sale, and /or distribution of products bearing marks
16 that are confusingly-similar to Georgia-Pacific’s federally-registered **ANGEL SOFT®**
17 trademarks. Through disclosures provided by Defendants named in the original complaint,
18 Georgia-Pacific learned facts supporting the addition of new parties, whom also are infringing
19 Georgia-Pacific’s valuable trademarks. Neither the current Defendants nor the newly-named
20 Defendants will be prejudiced by the proposed amendment.

21 This motion is based on the pleadings and papers on file in this action, this Notice of
22 Motion and Motion, and the accompanying Memorandum of Points and Authorities, the
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1 Declaration of Adam A. Welland filed herewith, and whatever evidence and argument is
2 presented at the hearing of this motion.

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4 Dated: February 15, 2008

Respectfully submitted,
LATHAM & WATKINS LLP

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6 By: /s/ Stephen P. Swinton
7 Stephen P. Swinton
8 Attorneys for Plaintiff
9 Georgia-Pacific Consumer Products LP
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